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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/607,611	06/30/2000	Mikael Sylvest	42390P9502	8537

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EXAMINER

VAUGHAN, MICHAEL R

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 01/13/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/607,611

Applicant(s)

SYLVEST ET AL.

Examiner

Michael R Vaughan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-21 have been examined and are pending.

Specification

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The

abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

2. The abstract of the disclosure is objected to because it does not adequately describe the technical disclosure of the invention. The abstract very closely resembles just the independent claim of the invention. Correction is required. See MPEP § 608.01(b).

Drawings

3. Formal drawings are required in response to the instant Office action.

New corrected drawings are required in this application because the informal drawings submitted to not comply with 37 CFR 1.84. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC ' 112, second paragraph

4. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Claim 5 is rejected because line 22 is lacking words to make a coherent statement. Clarification and/or correction are required.

Claim Rejections - 35 USC ' 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith (USP 6,515,969)

As per claims 1, 16, and 19, Smith teaches registering an attribute to a distributed dictionary for a plurality of nodes in a network having an unknown topology, said attribute comprising a key to index the attribute, a value associated with the key, and an incarnation identifier for the value (column 3, lines 50-55 and Fig 1).

As per claims 2, 17, and 20, Smith teaches:

obtaining the value associated with the key (column 8, lines 39-43);
determining the incarnation identifier for the value (column 10, line 36);
and
combining the key, the value, and the incarnation number into the attribute
(Fig 1).

As per claim 3, Smith teaches multicasting the attribute to the plurality of nodes in the network (column 1, line 64).

As per claim 4, Smith teaches registering a modified attribute to the distributed dictionary, the modified attribute comprising the key, a modified value, and a new incarnation identifier (column 3, line 50—column 4, line 35).

As per claim 5, Smith teaches obtaining the modified value associated the key; determining the new incarnation identifier for the modified value (column 12, lines 1-40);

As per claims 6, 18, and 21, Smith teaches receiving the attribute in a multicast from a reporting node at one of the plurality of nodes (column 9, lines 1-25); and storing the attribute to local memory based at least in part on the key (column 9, lines 30-35).

As per claim 7, Smith teaches the attribute comprises a first attribute, and wherein storing the attribute comprises: identifying a second attribute stored in the local

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memory having the same key; comparing the incarnation identifier of the first attribute to an incarnation identifier of the second attribute; and

maintaining a newer attribute of the first and second attributes having a most current incarnation identifier (column 12, lines 1-20).

As per claim 8, Smith teaches deregistering an older attribute of the first and second attributes having an older incarnation identifier (column 3, lines 50-61).

As per claim 9, Smith teaches over-writing the older attribute in the local memory with the newer attribute value (column 12, line 35); and storing the older attribute value until the older attribute value expires (column 2, line 58).

As per claim 10, Smith teaches presenting the new attribute to an application of the one of the plurality of nodes (column 12, lines 39-40).

As per claim 11, Smith teaches equivalent sets of registered attributes stored locally at each node of the plurality of nodes (column 9, lines 15-42).

As per claim 12, Smith teaches the network comprises at least one of a local area network (LAN) and a switch stack (column 1, lines 30-45 and column 3, line 35).

As per claim 13, Smith teaches plurality of nodes comprise a plurality of switches comprising a switch stack (column 3, line 35).

As per claim 14, Smith teaches the attribute utilizes a multicast protocol (column 1, line 65).

As per claim 15, Smith teaches the multicast protocol comprises a generic attribute registration protocol (GARP) (column 3, line 52).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R Vaughan whose telephone number is 703-305-0354. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MV
Michael R Vaughan
Examiner
Art Unit 2131


EMMANUEL L. MOISE
PRIMARY EXAMINER